

## Message Text

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PAGE 01 DUBLIN 00985 051725Z

47

ACTION SCS-03

INFO OCT-01 EUR-12 ISO-00 L-03 JUSE-00 SSO-00 /019 W

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O R 051600Z JUN 75

FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC IMMEDIATE 6843

INFO AMEMBASSY LONDON

LIMITED OFFICIAL USE DUBLIN 985

E.O. 11652: N/A

TAGS: SNAR, CGEN, (US V DALY)

SUBJECT: REQUEST FOR JUDICIAL ASSISTANCE

REF: DUBLIN 977

1. A LEGAL ADVISER IN THE DEPARTMENT OF FOREIGN AFFAIRS CONFIRMS TO US THAT A REQUEST FROM AN AMERICAN COURT WILL BE NEEDED IN ORDER TO OBTAIN INFORMATION FROM IRISH BANKS ON THE DALY CASE. THE FORMAT OF REQUEST IS NOT CONSIDERED IMPORTANT AND CAN BE DONE IN CUSTOMARY FASHION OF COURT TRYING THE CASE. REQUEST SHOULD BE ADDRESSED TO: "THE HIGH COURT, DUBLIN, IRELAND," AND FORWARDED TO THIS EMBASSY FOR TRANSMITTAL TO GOI UNDER COVER OF A NOTE WHICH WE WILL PREPARE. IN THE NOTE WE WILL ASK THE GOVERNMENT FORMALLY TO TAKE SUCH ACTION AS APPROPRIATE UNDER IRISH LAW AND TO STATE THAT WE ACCEPT RESPONSIBILITY FOR ANY COSTS THAT MAY BE INVOLVED. (WE DO NOT EXPECT THESE TO BE VERY LARGE BUT WOULD APPRECIATE CONFIRMATION THAT WE CAN BE REIMBURSED.)

2. ACCORDING TO OUR CONTACT, THE COURT REQUEST SHOULD BE AS SPECIFIC AND DETAILED AS POSSIBLE. THE COURT SHOULD ASK FOR CERTIFIED COPIES OF ANY DOCUMENTS THE IRISH COURT IS ABLE TO PRODUCE.

3. EMBASSY COMMENT: IT WILL CLEARLY BE EASIER TO PREPARE A SPECIFIC REQUEST WHEN WE HAVE THE RESULTS OF THE INFORMAL SEARCH NOW BEING CARRIED OUT BY THE BANK AT OUR REQUEST. ACCORDINGLY, WE

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SUGGEST THAT ACTION BE DEFERRED UNTIL WE HAVE THESE PRELIMINARY

RESULTS. IF BANK DOES NOT DISCOVER ANY PROMISING LEADS, THEN NO PURPOSE WOULD BE SERVED BY A FORMAL COURT REQUEST.

4. IT MAY EVENTUALLY BE NECESSARY ALSO TO DO A FORMAL COURT REQUEST FOR INFORMATION ON ANY LAND TRANSACTIONS BY DALY FOR HIS RELATIVES. AGAIN, HOWEVER, THERE IS NO POINT IN ACTING UNTIL OUR PRELIMINARY SEARCH CAN BE COMPLETED.  
MOORE

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## Message Attributes

**Automatic Decaptioning:** X  
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**Channel Indicators:** n/a  
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**Disposition Case Number:** n/a  
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**Disposition Date:** 28 MAY 2004  
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**Subject:** REQUEST FOR JUDICIAL ASSISTANCE  
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